

Remarks

In the Non-Final Office Action dated March 9, 2011, claims 1-3, 5-9 and 11 stand rejected under 35 U.S.C. §103. By this response, independent claims 1 and 6 have been amended, and new dependent claims 12-17 have been added. The amendments are fully supported by the original specification.

Cited Art

The following references have been applied against the claims in the present Office Action: U.S. Patent Application Pub. No. 2003/0016944 to Kato (hereinafter, "Kato"); U.S. Patent 5,854,873 to Mori et al. (hereinafter, "Mori"); and U.S. Patent 5,751,371 to Shintani (hereinafter, "Shintani").

Rejection of Claims 1, 5-6, 9 and 11 under 35 U.S.C. §103

Claims 1, 5-6, 9 and 11 stand rejected under 35 U.S.C. §103 as unpatentable over Kato in view of Mori. These rejections are respectfully traversed.

Claim 1 has been amended to recite, in part:

"upon receiving a second stream of multimedia content on a second channel correlating to the channel change request, begin storing the second stream of multimedia content to the digital data store while retaining the first stream of multimedia content in the digital data store".

In other words, recording of the second stream of content begins when the second stream of content is received corresponding to the channel change. Support can be found, for example, on p.3, lines 9-12 of the original specification (or paragraph [0015] of published application, US2006/0182412). No new matter has been added.

Kato does not teach at least the above claimed features. Instead, Kato teaches that when a first TV channel is switched to a second channel, recording of the video signal received on the second channel is inhibited for a specific period until a normal video signal is obtained from the second channel (e.g., see Kato's Abstract). This is further illustrated in Kato's FIG. 5 and paragraphs [0079]-[0081], which show that after the channel switching, recording of TV signal stops at point P8 so that distorted signals arising from the channel switching are not recorded in

video area (12). Recording of the video signal from CH B does not begin until point P10 after the end of the "no recording" period Pb (see Kato, para. [0085]).

Since Kato specifically teaches that recording stops for a time period upon channel change, it teaches away from Applicant's claim 1, in which recording of the second stream of content begins upon receiving the content corresponding to the channel change.

Mori was cited in the Office Action for allegedly teaching various features in claim 1 related to receiving a rewind trick mode request, presenting the second stream of content in reverse, and presenting the first stream of content in reverse.

Without acquiescing to the Office Action's interpretation of Mori's teaching, Applicant submits that the combination of Kato and Mori would not have resulted in claim 1, because there is no showing that Mori teaches the features in claim 1 discussed above that are missing in Kato. Therefore, the amended claim 1 is patentable over Kato and Mori.

Independent claim 6 has also been amended in a manner similar to claim 1. For the same reason set forth above, claim 6 is also patentable over Kato and Mori.

Rejection of Claims 2-3 and 7-8 under 35 U.S.C. §103

Dependent claims 2-3 and 7-8 are rejected as being unpatentable over Kato and Mori, and further in view of Shintani.

The Office Action acknowledged that neither Kato nor Mori teaches the features relating to assigning at least one identifier to the first and second streams of content, as provided in respective claims 2-3 and 7-8. Thus, Shintani's col. 10, lines 22-34, lines 56-65 and Figure 7 were cited as allegedly teaching these features.

Without acquiescing to the Office Action's interpretation of Shintani's teaching, Applicant submits that claims 2-3 and 7-8 are patentable over Kato, Mori and Shintani for at least the following reason.

Since there is no showing that Shintani teaches the features in claim 1 that are missing in Kato and Mori, namely, *"upon receiving a second stream of multimedia content on a second channel correlating to the channel change request, begin storing the second stream of multimedia content to the digital data store while retaining the first stream of multimedia content in the digital data store,"* claim 1 is not obvious over Kato, Mori and Shintani. Similarly, independent claim 6 is not obvious over the combined teaching of these references.

Thus, claims 2-3 and 7-8, which depend respectively from claims 1 and 6, are also not obvious over the cited references for the same reason set forth above.

New Claims 12-17

New dependent claims 12-17 have been added, with claims 12-14 depending from claim 1 and claims 15-17 depending from claim 6. Support for these claims can be found, for example, on p.4, lines 9-19 of the original specification (or paragraphs [0020]-[0022] of published application US 2006/0182412). Thus, no new matter has been added.

These new claims are patentable over Kato, Mori and Shintani for at least the same reason set forth above for claims 1 and 6.

Conclusion

In view of the foregoing, it is submitted that all the claims pending in this patent application are in condition for allowance. Entry of this amendment, reconsideration of this application, and allowance of all the claims are respectfully solicited.

Respectfully submitted,

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